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AMENDMENTS TO THE CLAIMS:

Please amend the claims as follows:

1. (Currently Amended) A method of playback of stored entertainment content, comprising:

notifying a service provider of a playback of the stored entertainment content, wherein the stored entertainment content is stored at a content storage device at a user site that is remotely situated from the service provider;

receiving an advertisement from an advertising server of the service provider in response to the notifying; and

at the user site, merging the advertisement with the stored entertainment content so that both the advertisement and the stored entertainment content are played back.

2. (Original) The method according to claim 1, wherein merging the advertisement with the stored entertainment content comprises inserting the advertisement in place of a stored advertisement forming a part of the entertainment content.

3. (Original) The method according to claim 2, wherein the inserting takes place during real-time playback of the entertainment content.

4. (Original) The method according to claim 1, wherein merging the advertisement with the stored entertainment content comprises inserting the advertisement at a location of an advertisement place holder forming a part of the entertainment content.

5. (Original) The method according to claim 4, wherein the inserting takes place during real time playback of the entertainment content.

6. (Currently Amended) The method according to claim 1, wherein the stored entertainment content is stored at a storage device forming a part of a television receiver device ~~service provider site~~.

7. (Original) The method according to claim 1, wherein the stored entertainment content is stored in a set-top box.

8. (Original) The method according to claim 1, wherein the stored entertainment content is stored in storage device coupled to a set-top box.

9. (Original) The method according to claim 1, further comprising transmitting a viewing history to the service provider prior to receiving the advertisement.

10. (Currently Amended) A method of delivering advertisements to a user, comprising:
receiving a message from a set-top box indicating initiation of playback of stored entertainment content, wherein the stored entertainment content is stored at a content storage device at a user site that is remotely situated from the service provider;
selecting an advertisement based on a user profile for the user; and
transmitting the advertisement from the service provider to the set-top box to be merged with the entertainment content at the set-top box.

11. (Original) The method according to claim 10, further comprising merging the advertisement with the stored entertainment content.

12. (Original) The method according to claim 10, further comprising merging the advertisement with the stored entertainment content by inserting the advertisement in place of a stored advertisement forming a part of the stored entertainment content.

13. (Original) The method according to claim 12, wherein the inserting takes place during real-time playback of the stored entertainment content.

14. (Original) The method according to claim 10, further comprising merging the advertisement with the stored entertainment content by inserting the advertisement at a

location of an advertisement place holder forming a part of the stored entertainment content.

15. (Original) The method according to claim 14, wherein the inserting takes place during real-time playback of the stored entertainment content.

16. (Cancelled)

17. (Original) The method according to claim 10, wherein the stored entertainment content is stored in a set-top box.

18. (Original) The method according to claim 10, wherein the stored entertainment content is stored in a storage device coupled to a set-top box.

19. (Original) The method according to claim 10, further comprising receiving a viewing history from the set-top box prior to selecting the advertisement.

20. (Original) The method according to claim 10, wherein the selecting further comprises selecting the advertisement based upon information relating to the stored entertainment content being played back.

21. (Original) The method according to claim 10, wherein the selecting further comprises selecting the advertisement based upon a playback time.

22. (Original) The method according to claim 10, wherein the selecting further comprises selecting the advertisement based upon a playback date.

23. (Original) The method according to claim 10, wherein the selecting further comprises selecting the advertisement based upon information relating to a viewing history of the user.

24. (Original) The method according to claim 23, wherein the viewing history is transmitted from the set-top box to a service provider.

25. (Original) The method according to claim 10, wherein the selecting further comprises selecting the advertisement based upon information relating to an advertising history for the user.

26. (Original) The method according to claim 10, wherein the selecting further comprises selecting the advertisement based upon user profile information relating to a plurality of users.

27. (Currently Amended) A set-top box, comprising:

an input interface receiving a signal indicating that a user has initiated a playback of stored entertainment content, wherein the stored entertainment content is stored at a content storage device at a user site that is remotely situated from the service provider;

means for notifying a service provider of the initiation of the playback of stored entertainment content;

means for receiving a selected advertisement from the service provider; and

a programmed processor situated at the user site that merges the selected advertisement with the entertainment content so that the entertainment content is played back with the selected advertisement.

28. (Original) The apparatus according to claim 27, wherein the programmed processor that merges the advertisement with the stored entertainment content comprises means for inserting the advertisement in place of a stored advertisement forming a part of the entertainment content.

29. (Original) The apparatus according to claim 28, wherein the means for inserting inserts the advertisement during real-time playback of the entertainment content.

30. (Original) The apparatus according to claim 27, wherein the programmed processor that merges the advertisement with the stored entertainment content comprises means for inserting the advertisement at a location of an advertisement place holder forming a part of the entertainment content.

31. (Original) The apparatus according to claim 30, wherein the means for inserting inserts the advertisement during real time playback of the entertainment content.

32. (Currently Amended) The apparatus according to claim 27, wherein the stored entertainment content is stored at a storage device forming a part of a television receiver device ~~service provider site~~.

33. (Original) The apparatus according to claim 27, further comprising a disc drive forming a part of the set-top box, and wherein the stored entertainment content is stored in the disc drive.

34. (Original) The apparatus according to claim 27, wherein the stored entertainment content is stored in storage device coupled to the set-top box.

35. (Original) The apparatus according to claim 27, further comprising means for transmitting a viewing history to the service provider prior to receiving the advertisement.

36. (Currently Amended) A system for delivery of advertisements, comprising:

means for receiving a message from a set-top box indicative of a user's selection of playback of stored entertainment content, wherein the stored entertainment content is stored at a content storage device that forms a part of or is coupled to the set-top box at a user site that is remotely situated from the service provider;

a user profile server for storing a user profile of the user;

an advertisement server controlled by the service provider, receiving the user profile and supplying an advertisement selected in accordance with the user profile; and

means for transmitting the advertisement to the set-top box for merged playback with the entertainment content in response to receipt of the message from the set-top box.

37. (Cancelled)

38. (Original) The apparatus according to claim 36, wherein the merging of the advertisement with the stored entertainment content is carried out by inserting the advertisement in place of a stored advertisement forming a part of the entertainment content.

39. (Original) The apparatus according to claim 38, wherein the inserting takes place during real-time playback of the entertainment content.

40. (Original) The apparatus according to claim 36, wherein the merging of the advertisement with the stored entertainment content is carried out by inserting the advertisement at a location of an advertisement place holder forming a part of the entertainment content.

41. (Original) The apparatus according to claim 40, wherein the inserting takes place during real time playback of the entertainment content.

42. (Currently Amended) The apparatus according to claim 36, wherein the stored entertainment content is stored in a storage device forming a part of a television receiver device ~~media server at a service provider site.~~

43. (Original) The apparatus according to claim 36, wherein the stored entertainment content is stored in the set-top box.

44. (Original) The apparatus according to claim 36, wherein the stored entertainment content is stored in a storage device coupled to a set-top box.

45. (Original) The apparatus according to claim 36, further comprising means for receiving a viewing history prior to selecting the advertisement.

46. (Original) The apparatus according to claim 36, wherein the selecting further comprises selecting the advertisement based upon information relating to the content being played back.

47. (Original) The apparatus according to claim 36, wherein the selecting further comprises selecting the advertisement based upon a playback time.

48. (Original) The apparatus according to claim 36, wherein the selecting further comprises selecting the advertisement based upon a playback date.

49. (Original) The apparatus according to claim 36, wherein the selecting further comprises selecting the advertisement based upon information relating to a viewing history of the user.

50. (Original) The apparatus according to claim 49, wherein the viewing history is transmitted from the set-top box to a service provider.

51. (Original) The apparatus according to claim 36, wherein the selecting further comprises selecting the advertisement based upon information relating to an advertising history for the user.

52. (Original) The apparatus according to claim 36, wherein the selecting further comprises selecting the advertisement based upon user profile information relating to a plurality of users.

53. (Currently Amended) An electronic storage medium storing instructions which, when executed on a programmed processor, carry out a process of playback of stored entertainment content, comprising:

notifying a service provider of a playback of the stored entertainment content, wherein the stored entertainment content is stored at a content storage device at a user site that is remotely situated from the service provider;

receiving an advertisement from an advertising server controlled by the service provider in response to the notifying; and

at the user site, merging the advertisement with the stored entertainment content so that both the advertisement and the stored entertainment content are played back

54. (Original) The storage medium according to claim 53, wherein merging the advertisement with the stored entertainment content comprises inserting the advertisement in place of a stored advertisement forming a part of the stored entertainment content.

55. (Original) The storage medium according to claim 54, wherein the inserting takes place during real-time playback of the stored entertainment content.

56. (Original) The storage medium according to claim 53, wherein merging the advertisement with the stored entertainment content comprises inserting the advertisement at a location of an advertisement place holder forming a part of the stored entertainment content.

57. (Original) The storage medium according to claim 56, wherein the inserting takes place during real-time playback of the stored entertainment content.

58. (Original) The storage medium according to claim 53, wherein the process further comprising transmitting a viewing history to the service provider prior to receiving the advertisement.

59. (Currently Amended) An electronic storage medium storing instructions which, when executed on a programmed processor, carry out a process of delivering advertisements to a user, comprising:

receiving a message from a set-top box indicating initiation of playback of stored entertainment content, wherein the stored entertainment content is stored at a content storage device at a user site that is remotely situated from the service provider;

selecting an advertisement based on a user profile for the user; and

transmitting the advertisement from the service provider to the set-top box to be merged with the entertainment content at the set-top box.

60. (Original) The storage medium according to claim 59, wherein the process further comprises merging the advertisement with the stored entertainment content.

61. (Original) The storage medium according to claim 59, wherein the process further comprises merging the advertisement with the stored entertainment content by inserting the advertisement in place of a stored advertisement forming a part of the stored entertainment content.

62. (Original) The storage medium according to claim 61, wherein the inserting takes place during real-time playback of the stored entertainment content.

63. (Original) The storage medium according to claim 59, wherein the process further comprises merging the advertisement with the stored entertainment content by inserting the advertisement at a location of an advertisement place holder forming a part of the stored entertainment content.

64. (Original) The storage medium according to claim 63, wherein the inserting takes place during real-time playback of the stored entertainment content.

65. (Original) The storage medium according to claim 59, wherein the selecting further comprises selecting the advertisement based upon information relating to the entertainment content being played back.

66. (Original) The storage medium according to claim 59, wherein the selecting further comprises selecting the advertisement based upon a playback time.

67. (Original) The storage medium according to claim 59, wherein the selecting further comprises selecting the advertisement based upon a playback date.

68. (Original) The storage medium according to claim 59, wherein the selecting further comprises selecting the advertisement based upon information relating to a viewing history of the user.

69. (Original) The storage medium according to claim 59, wherein the selecting further comprises selecting the advertisement based upon information relating to an advertising history for the user.

70. (Original) The storage medium according to claim 59, wherein the selecting further comprises selecting the advertisement based upon user profile information relating to a plurality of users.

71. (Currently Amended) A method of doing business, comprising:

receiving an advertisement from an advertiser;

receiving a target profile defining the type of viewer that should receive the advertisement;

receiving notification from a user ~~users~~ indicative of playback of entertainment content, wherein the stored entertainment content is stored at a content storage device at a user site that is remotely situated from the service provider;

providing the user ~~users~~ with the advertisement from the service provider based upon similarities between a user profile and the target profile, the advertisement being provided by merging the advertisement with the entertainment content at the user site; and calculating a charge to the advertiser based upon the number of times the advertisement is provided to users.

72. (Original) The method according to claim 71, further comprising calculating the charge based upon times that the advertisement is provided to users.

73. (Currently Amended) The method according to claim 71, wherein the entertainment content is stored at a storage device forming a part of a television receiver device ~~service provider site~~.

74. (Original) The method according to claim 71, wherein the entertainment content is stored in a set-top box.

75. (Original) The method according to claim 71, wherein the entertainment content is stored in a storage device coupled to a set-top box.

76. (Original) The method according to claim 71, wherein providing the advertisement is further based upon a viewing history for the user.

77. (Original) The method according to claim 71, wherein providing the advertisement is further based upon information relating to the entertainment content being played back.

78. (Original) The method according to claim 71, wherein providing the advertisement is further based upon a playback time.

79. (Original) The method according to claim 71, wherein providing the advertisement is further based upon a playback date.

80. (Original) The method according to claim 71, wherein providing the advertisement is further based upon information relating to an advertising history for the user.

81. (Original) The method according to claim 71, wherein providing the advertisement is further based upon user profile information relating to a plurality of users.